

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into to express certain common goals, interests and objectives shared by the Faith Apostolic Church (the "Church") and the Black Warrior-Cahaba Rivers Land Trust (the "Land Trust") related to Seven Springs, a small tributary to Valley Creek, including the protection of the endangered Watercress Darter resident in Seven Springs, and the preservation of that area as a nature sanctuary and meditation center.

RECITALS:

WHEREAS, the Church is the current owner of the biologically significant Seven Springs, a small tributary to Valley Creek, that is a known habitat for the endemic and endangered Watercress Darter (*Etheostoma nuchaleas*) as well as other important aquatic species; and

WHEREAS, the Land Trust mission is the acquisition and stewardship of lands that enhance water quality and preserve open space; and

WHEREAS, the Land Trust is also charged for implementing the Jefferson County Greenways program; and

WHEREAS, the Seven Springs site has been identified as a priority for conservation by the Jefferson County Greenways Program; and

WHEREAS, the Church and the Land Trust share the common goal of preserving this significant spring; and

WHEREAS, the Church and the Land Trust share a common goal of protecting the endangered Watercress Darter; and

WHEREAS, the Church envisions preserving the area as both a nature sanctuary and meditation garden (the "Nature Sanctuary" and "Garden"); and

WHEREAS, the Land Trust supports the vision of the Church for the establishment of the Nature Sanctuary and Garden; and

WHEREAS, the Church and the Land Trust share a common goal of allowing the Nature Sanctuary and Garden to be utilized as an outdoor classroom for environmental education.

NOW, THEREFORE, in consideration of the above stated common goals and objectives, the Church and the Land Trust have elected to enter into this MOU in order to

develop and implement a cooperative strategy to meet these goals and objectives, and in order to do so the Church and the Land Trust mutually agree as follows:

1. The Land Trust agrees to advise and consult with the Church in order to develop programs and strategies designed: (a) to ensure protection of the Watercress Darter and the aquatic habitat of Seven Springs; (b) to enhance the beauty of the Seven Springs area, and improve its accessibility and suitability as a site for a meditation garden and education center; (c) to assist and encourage the involvement of other partners sharing compatible goals and objectives to assist in meeting these goals and objectives; and (d) to assist in seeking to secure funding from public and private sources for these purposes.

2. The Church agrees to make this property available and to assist and cooperate with the Land Trust in the establishment of the above slated programs and strategies in order to ensure the permanent protection of the Seven Springs area as a Nature Sanctuary and Garden.

3. The Church and the Land Trust mutually agree to join together from time to time in making public statements, press releases, funding applications and such other matters as circumstances warrant for those purposes expressed in this MOU.

4. It is agreed that this MOU shall be reviewed on an annual basis, and revised as deemed appropriate by the parties, and shall be automatically renewed from year to year unless terminated by either party.

IN WITNESS WHEREOF, the parties have executed this MOU by their authorized representatives as of the ____ day of _____, 2004.

FAITH APOSTOLIC CHURCH

By: _____
Its: _____

**BLACK WARRIOR-CAHABA RIVERS
LAND TRUST**

By: _____
Its: _____